

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RG STEEL, LLC,

Plaintiff,

- against -

SEVERSTAL US HOLDINGS, LLC and
SEVERSTAL US HOLDINGS II, LLC,

Defendants.
----- x

Civil Action No. _____

Removed from:

Supreme Court of the State of New
York, County of New York

Index No. 12-651290

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that RG Steel, LLC ("RG Steel"), pursuant to 28 U.S.C. §§ 1334 and 1452 and Rule 9027 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), files this Notice of Removal and alleges as follows:

1. On May 31, 2012 (the "Petition Date"), RG Steel filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), which case is pending as Case No. 12-11662 in the United States Bankruptcy Court for the District of Delaware.

2. RG Steel is the named plaintiff in the above-captioned action, which was commenced on April 20, 2012, in the Supreme Court of the State of New York, County of New York, Index No. 12-651290 (the "State Court Action").

3. The District Court has jurisdiction over the State Court Action, pursuant to 28 U.S.C. § 1334 and 1452, as it is the judicial district in which the State Court Action is pending.

4. The State Court Action is a civil action arising in and/or related to the Bankruptcy Case under title 11 and concerns its property and/or estate. It is, therefore, removable pursuant to 28 U.S.C. §§ 1334 and 1452 and Rule 9027 of the Rules. Although the State Court Action is a non-core proceeding, RG Steel consents to entry of final orders or judgment by the bankruptcy judge.

5. The filing of this Notice of Removal is timely, because, inter alia, the State Court Action is a civil action commenced prior to the Petition Date, and the United States Bankruptcy Court for the District of Delaware, the district in which the bankruptcy case is pending, issued an order pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 9006 and 9027 extending debtors' time for removal of prepetition civil actions until April 26, 2013 (the "Order"). A copy of the Order is annexed hereto as Exhibit A.

6. Pursuant to the provisions of 28 U.S.C. § 1446(a), annexed hereto as Exhibit B to this notice and incorporated herein by reference are copies of all the process and pleadings in this action prior to removal.

7. Immediately after the filing of this Notice of Removal, a copy of the Notice of Removal will be filed with the Clerk of the Supreme Court of the State of New York, County of New York, and a copy will be served on counsel for Defendants.

WHEREFORE, RG Steel respectfully prays that this action be removed from the Supreme Court of the State of New York, County of New York, to this Court.

Dated: March 7, 2013
New York, New York


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Southern District of New York
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